

**Remarks:**

1. On Page 2 of the Second Restriction Requirement, the Examiner seeks submission of "information as may be reasonably necessary to properly examine or treat the matter." In particular, the Examiner requires Applicant to identify and to submit copies of "information used in the invention process."

Applicant points out that he has already filed two Information Disclosure Statements in this application providing the Examiner with the information of which he is aware in order to satisfy disclosure obligations under Rule 56.

Applicant makes no further representation in this paper that any reference disclosed in those Information Disclosure Statements is more material or relevant to examination of the application than any other. This determination is squarely the province of the Examiner in reviewing the claims and the applicable art.

Applicant also makes no further representation in this paper that the references cited in the two Information Disclosure Statements include the most relevant art to the claims. Applicant has cited all of the art of which he is aware. It is also the province of the Examiner to search the prior art and determine if there is additional, more relevant art of which Applicant is unaware.

However, in a good faith attempt to satisfy the Examiner's request on page 2 of the Restriction Requirement, Applicant offers the following, which may be of some assistance to the Examiner as he searches the prior art and determines which is the most relevant to the claims: Beyond background, the following references were cited as relevant to piezocomposites in one of Applicant's early written articulations of the inventive transducer:

4,485,321	November 27, 1984	Klicker, et al.
4,628,223	December 9, 1986	Takeuchi et al.
4,890,268	December 26, 1989	Smith et al.
6,467,140 B2	October 22, 2002	Gururaja

Smith, W.A., "New Opportunities in Ultrasonic Transducers Emerging from Innovations in Piezoelectric Materials", SPIE Vol. 1733, 1992, pages 3-26.

The following reference was cited as relevant to matching layers in one of Applicant's early written articulations of the inventive transducer:

4,523,122	June 11, 1985	Tone et al.
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The following references were cited as relevant to backing layers in one of Applicant's early written articulations of the inventive transducer:

4,382,201	May 3, 1983	Trzaskos
4,800,316	January 24, 1989	Ju-Zhen

2. Applicant assumes that the copies of the foregoing U.S. patents are readily available to the Examiner without the need for Applicant to submit copies thereof. A copy of the foregoing Smith reference was included with the Information Disclosure Statement filed with the original application papers. Applicant further notes that the Information Disclosure Statement filed with the original application papers also included copies of relevant product literature.

3. In the Second Restriction Requirement, the Examiner also further restricted prosecution of the instant application to one of the following three groups:

- (I) Claims 9 and 10, drawn to a tool with acoustic sensor with plural columnar elements;
- (II) Claims 12-18, drawn to a tool with acoustic sensor with concentric elements; and
- (III) Claims 19-21, drawn to a tool with acoustic transducer that senses and receives.

4. Applicant elects Group I, claims 9 and 10, without traverse, for further prosecution in this application. Applicant further makes the foregoing election(s) without prejudice to its right to file divisional applications on claims that have been restricted out of this application.

Should the Examiner have any questions, or believe that a telephone interview may expedite the further examination of this application, the Examiner is requested to contact the undersigned at the telephone number shown below.

Date:

April 15, 2005

Respectfully submitted,



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